## UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

MAILED

OCT 2 7 2006

U.S. PATENT AND TRADEMARK OFFICE BOARD OF PATENT APPEALS AND INTERFERENCES Ex parte JOHN D. DREHER

Application No. 09/482,773

This application was electronically received at the Board of Patent Appeals and Interferences on October 3, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

The following prior art reference cited on page 3 of the June 3, 2005 Examiner's Answer was not located in the Image File Wrapper (IFW): Hurst, S. "Face Powders," Poucher's Perfumes, Cosmetics and Soaps, vol. 3, (1993, 9<sup>th</sup> ed. Hilda Butler), pp. 116-121, Chapman & Hall.

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Accordingly, it is

ORDERED that the application is returned to the examiner to have the above listed reference scanned into the IFW and for such further action as may be appropriate.

BOARD OF PATENT APPEALS AND INTERFERENCES

By: G.P. Excel for Dale Than
Dale M. Shaw

Deputy Chief Appeal Administrator

(571) 272-9797

DMS/eld

KENYON & KENYON LLP ONE BROADWAY NEW YORK NY 10004